

UNITED STATES DISTRICT COURT
DISTRICT OF MARYLAND

PETER J. MESSITTE
UNITED STATES DISTRICT JUDGE

6500 CHERRYWOOD LANE
GREENBELT, MARYLAND 20770
301-344-0632

MEMORANDUM

To: Counsel of Record

From: Judge Peter J. Messitte

Re: Trustees of National Electrical Benefit Fund et al. v. Cico Electrical Contractors, Inc.
Civil No. PJM 21-279

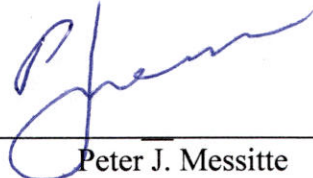
Date: May 27, 2022

The Court has received Plaintiffs' Motion for Default Judgment against Defendant Cico, ECF No. 7. However, the Court has noted there appear to be differences in the amounts sought in the Complaint, the Motion for Default Judgment, and the supporting affidavits and exhibits. In particular, it is not clear to the Court how much Plaintiffs believe is due to NEBF and NEAP in delinquent contributions. The figures provided for NEBF relate to several, overlapping date ranges (November 2017 to November 2020; November 2017 to September 2018; and October 2014 to December 2019). Additionally, it is not clear why the total sought for NEAP is \$36,143.83, when the alleged deficient contributions total \$36,906.68. Finally, for both NEBF and NEAP, it is not clear whether the parties still seek interest, liquidated damages, audit costs, and attorneys' fees and costs, as the totals sought in the Motion for Default Judgment do not appear to include those costs, or if they do, there is no breakdown.

Plaintiffs are **DIRECTED** to submit within 30 days of this Order a supplement to their motion, clearly setting forth the totals sought for NEBF and NEAP, with a detailed breakdown as to the delinquent contributions, an interest worksheet, liquidated damages, audit costs, and attorneys' fees and costs. These amounts should be supported with citations to the affidavits and exhibits already submitted, or to additional documentation as necessary.

Plaintiffs shall, in addition, submit a proposed order incorporating said amounts.

Despite the informal nature of this ruling, it shall constitute an Order of the Court and the Clerk is directed to docket it accordingly.



Peter J. Messitte
United States District Judge

CC: Court File